At the conclusion of his review of the ce in the Duffy case and his comthe Mayor appends these com-

First-That on receipt of this communion the Police Commissioner immediately place in charge of the boroughs of klyn and Queens with all his former athority as trial commissioner as well as First Deputy Police oner Baker, and thus restore this great vision of the city to its former police ministration at the hands of one of its tizens. This gives back to Brooklyn its stonemy in police matters and carries out the theory of home rule which the Police ommissioner should never have violated.

Second-I further order the Commis designate First Deputy oner Baker and Inspector McCafferty to ertain all applications to take photo aphs and measurements from the rogues liery and rule thereon

Third-I order the Police Commissioner remove the photograph of George B. My of 237 Wyckoff street, Brooklyn, from he rogues' gallery and return all photoph negatives and Bertillon meants to his father, George E. Duffy.

Fourth—I order the Police Commissioner to forthwith remove from office Deputy Police Commissioner Hanson and Secretary Slattery for their implication in the case of the company of the Commissioner than as lay members of the Company first to check this grievance as far back as | gallery ented by Justice Gaynor. It was Deputy Commissioner Hanson who appears to have then the affidavit of the unfortunate an who was used to sustain the police heory of the case.

Another reason that led me to make this rder in regard to Deputy Commissioner Hanson is the complaints of the Appellate Divisions of both departments, brought to my attention, that by his abusive language. lack of control and inability to exercise judicial functions he has cost the city of New York many thousands of dollars by the shom the courts have reinstated because partiality exercised by this deputy com-

It was Secretary Slattery who, in a memorandum, to the Commissioner, and which was transmitted to me by the Commissioner, stated that the unfortunate woman had perjured herself when she stated in the bel case that she was in the Brooklyn Hotel with him when Seibel was assaulted. This is direct quotation. The testimony, of which a summary is given below, indi-

For these reasons 1 direct the removal of these two men. Fifth I further direct the Police Commis appoint as third or trial deputy Assistant Corporation Counsel Stover in place of Deputy Commissioner Hanson.
Sixth—I further direct the Police Comner to submit to me the name of the nor to Mr. Slattery, and only appoint such successor on my approval, the secre-tary of the Police Commissioner having

nated as a "staff officer. Seventh—I further direct that Borough aspector Russell; who has been in charge of the boroughs of Brooklyn and Queens, be reduced to the rank of Captain and assigned to a precinct in The Bronx for the good of the service because of false state-

ed to be a mere cierical aid, but by

ents made to me Eighth-Formerly the Police Commis sioner submitted to me for approval the of the Captains that he desired to designate as Inspectors, but of late this sion of names has been discontinued. therefore direct that the designations. of Captains as Inspectors, the reductions ment of inspectors be submitted to me for sporoval as heretofore.

Kelly be assigned and designated as aspector at large, with headquarters the Mayor's office at City Hall. That If complaints received at Police Headarters be immediately copied and a copy emplaints have been investigated by the be also sent forthwith to me. The four officers now assigned to the Mayor's office with Inspector Kelly are to be con-

SUMMARY OF THE PINDINGS.

The Mayor left for Princeton in the late afternoon before the report and orders were released from his office. The document fills sixty printed pages. It begins with an acknowledgment of the receipt of Justice Gaynor's charges and a résumé of the Mayor's orders requiring an investigation of the Duffy case. There foltigation of the Duffy case. There follows a summary of the testimony of the policemen who appeared before the Mayor, of the testimony of young Duffy and the character witnesses that appeared for him and of the affidavits submitted in the case. Then the Mayor takes up court decisions on the right of the sum and there." peared for him and of the affidavits submitted in the case. Then the Mayor takes up court decisions on the right of the police to photograph and measure persons thereby under suspicion of crime and on their right to retain photographs in the rogues, gallary. Between these in the rogues' gallery. Between these matters are sandwiched the Mayor's comnte on the present police administration, particularly in regard to what he terms the inefficiency and maladminis-tration of the Police Department in Brook-

tration of the Police Department in Brooklyn." The orders conclude the report.

The Mayor finds that the controversy
between the Police Commissioner and
Justice Gaynor began as far back as
March 15, 1909, when Justice Gaynor
first applied to the Commissioner to get
the Duffy boy's photograph out of the
gallery. Commissioner Bingham having inal's photograph

age and retained in the galmarker called on Capt. August Kuhne of
the detective bureau in Brooklyn, now
serving a jail sentence for contempt of
court, and Kuhne sent to Headquarters
what was supposed to be an accurate
digest of the police records concerning
the different arrests of the Duffy boy.
To these Kuhne added a commentary:
"I am advised by several of the detectives that George B. Duffy is a well known
to the officers of the 146th and 147th precincts as a member of the White Hand
gang, who congregated in the vicinity
of Third avenue and Baltic street, Brooklyn."

"There are other allegations of demarker and retained in the galhe Mayor takes up Lorette Ryan's
testimony in the Seibel case.

"After the Police Commissioner had
submitted all the evidence on which he
relied to support the stand taken by him
in regard to the Duffy boy's case," says
the Mayor, "he requested me to receive
two affidavits made by young women
who the police admit are prostitutes.
One of these women, who it appears,
testified in the Seibel case, verified a
new affidavit setting forth that in the
said Seibel case she had committed perbrother

There are other allegations of dele Mayor states, "submarker and retained in the galmapens to associate with."

Then the Mayor takes up Lorette Ryan's
testimony in the Seibel case.

"After the Police Commissioner had
submitted all the evidence on which he
relied to support the stand taken by him
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testimony in the Seibel case.

"After the Police Commissioner
had submitted all the evidence on which he
relied to support the stand taken by him
in regard to the Duffy boy's case, says

generacy charged against the Duffy boy," the Mayor states, "substantiated by police officers, which it is unnecessary to set

forth in this report."

The Mayor found that Kuhne's report was received at Police Headquarters on March 22, 1909, by Deputy Commissioner Woods, who assured the Mayor that he merely as the transmitter, and it personally to Police Commis-

handed it personally to Police Commissioner Bingham.

"In his communication of March 22, 1609, the Mayor states, the Police Commissioner informed Justice Gaynor of the result of the police investigation and the report he had received, admitting, however, that the only time the Duffy boy was held for committing any wrong was then, on November 26, 1907, he was arrested on the charge of disorderly conduct, sentence being suspended by Judge Tighe. The Police Commissioner, in regard to this one occasion when the Duffy boy was ever held by a Magistrate, character the suspension of sentence as follows: You probably know Tighe's character. The rest of the letter reiterates the general allegations of the Duffy boy being a friend of other boys who were subsequently found guilty of

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gallery.

"In one of his last letters Commissioner Bingham said he would order out the photograph of young Duffy if Judge Gaynor would request it as a favor. The learned Judge replied to this letter that the Commissioner would do so as a matter of right to the boy and not as a favor to him. Thereafter the correspondence between the two parties continues until in the last letter of May 17, 1909, Mr. Justice Gaynor appears to have lost all patience with the Police Commissioner and by the expressions used terminated all further correspondence."

MAYOR'S INQUIRY ABOUT DUFFY.

MAYOR'S INQUIRY ABOUT DUFFY. The Mayor then takes up two different reports made by Capt. Kuhne on Duffy's record, for which reports Kuhne assumed responsibility, and states that they were conflicting. In the first report Kuhne said that Duffy's first arrest was on the

conflicting. In the first report Kuhne said that Duffy's first arrest was on the charge of being a suspicious person. In the second report the charge was changed to burglarizing. The Mayer went to the records of Magistrate Naumer and found that Naumer had dismissed a charge that Duffy was a vagrant. This was the first arrest, June 16, 1907, and the Mayor points out that it was on this that Duffy was photographed. Duffy was not charged with burglary at any time.

In regard to the second arrest, November 27, 1907, for disorderly conduct, the Mayor gives the testimony of Policeman Elwood that the policeman did not hear Duffy say anything and did not see him interfering with anybody going into a dance hall.

The third arrest was on March 24, 1909, on the complaint of George Seibel of 57 Ashland place, Brooklyn, that he had been assau ed and robbed by four boys, one of when was Duffy. A woman of the street, known as Loretta Ryan and Loretta Blumlein, swore on behalf of the boys that she was with Seibel in the Brooklyn Hotel at the time the robbery was said to have taken place. The police were positive in saying that the woman had perjured herself. The Mayor brings Mr. Slattery into tha matter here by staing "It was Secretary Slattery who in a memorandum to the Commissioner and which was transmitted to me by the Commissioner stated that the unfortunate woman had perjured herself when she Commissioner stated that the unfortunate woman had perjured herself when she stated in the Seibel case that she was in the Brooklyn Hotel with him [meaning] Seibel] when Seibel was arrested."

In his investigation of the truth or falsity of the Ryan woman's testimony the Mayor secured the minutes of the Seibel trial. The only woman who gave testimony, he found, was the street "This woman," the Mayor states, "at

This woman, the Mayor states, at the trial stated that Seibel asked her to go to supper and to the theatre; that they purchased tickets and while waiting for the theatre went into the Brooklyn Hotel at 7:30 P. M. and had a few drinks; that the theatre went into the Brooklyn Hotel at 7:30 P. M. and had a few drinks; that taking of the photograph that has given shortly afterward they went into the theatre. Seibel going out several times to get a drink. I have been unable to find in the stenographer's minutes in this case testimony that any woman was * * * with Seibel in the Brooklyn Hotel when of the force up to public condemnation and represents. four officers now assigned to the Mayor's office with Inspector Kelly are to be continued here until further orders.

Tenth—On the report of District Attorney Clarke of Kings county that Inspector Holahan was the only officer in authority that aided him in the trial of Officer Dillon and contains statements that are certain contains statements that are certain description. that aided him in the trial of Officer Dillon of the 149th Precinct for murder, I order that said Inspector Holahan be made Borough Inspector under Deputy Commissioner Baker in place of Inspector Russell, herewith reduced.

Eleventh—I further direct that the above orders be carried into effect immediately after the receipt of this communication and the Police Commissioner report compliance therewith in twelve hours to me.

of the Magistrate after the Magistrate became aware that he was present."

The Mayor found that the fourth arrest was without roper cause and that the fifth arrest was as unreasonable. So far as the charges of depravity made against the boy by policemen are concerned, the

Mayor says:
"Two officers, named Clarke and Tun-ney, both made affidavits to the effect that the Duffy boy had admitted to them

were true, should have led to an arrest then and there."

Many allegations, the Mayor states, were made in different affidavits submitted by the police that Duffy was in the habit of associating with other boys that had been arrected or were generally known as bad boys. This statement, the Mayor concludes, even if true, cannot justify the retention of the boy's picture in the rogues' gallery.

"I am not aware," he continues, "that even the police authorities have ever

even the police authorities have ever contended that a man's photograph should be taken and retained in the gal-lery merely because of the men that he happens to associate with."

Style

is demanded of us.

jury and that her evidence, which had been material in securing the release of the four boys, was false and perjured. This affidavit of the young woman, on its face, substantiates the story of the police that her evidence that Seibel was with her in the Brooklyn Hotel, which was false, was what secured the release of the four boys. The Police Commissioner requested my permission to submit this evidence to the District Attorney of Kings county in order that the Duffy boy might be indicted by the Grand Jury and the truth in regard to the Seibel assault tried out anew in court. I requested Mr. Clarke, the District Attorney of Kings county, to come to my office, and he examined the new affidavits submitted by Commissioner Bingham. After carefully gonsidering the said affidavits and the report received from the Pinkerton detectives in regard to the character of Charles Seibel, the learned District Attorney assured me without hesitation that he would be unable to secure any conviction of the Duffy boy on such evidence, and did not deem it his duty to take up the time of the Grand Jury with such a story.

* * 1 have myself examined the evidence given by the girl in the Seibel case, and find that her memory and that of the police officials is in error, as she did not testify that she went with Seibel in the Brooklyn Hotel at the time Seibel was assulted.

Strong Testimony in Pavor of Duffy. The Mayor then examines the testimony

STRONG TESTIMONY IN FAVOR OF DUFFY.

The Mayor then examines the testimony of Mgr. Duffy, Father Flynn and Father McAteer that the boy was neither a degenerate, a thief nor a bad character. "This evidence," he says, "given by three high officials of t' Catholic Church in favor of this boy, sed on the means available to them of ascertaining the truth, would have convinced me in his favor without further testimony."

favor without further testimony."

The Mayor summarizes the testimony of Duffy's employer, of Principal Sherman of Public School 15, of Walter J. Bryan of the Comptroller's office, of the boy's mother and father and of young Duffy himself quoting such passages as made, mother and father and of young Duffy himself, quoting such passages as made, evidently, a favorable impression on the Mayor's mind. He dwelt with some particularity on young Duffy's testimony that policemen threatened to "beat his head off" and to "break his back," and included young Duffy's statement, "I positively swear that I don't know Alfred Collier." Collier was one of the young men the police said Duffy associated with. He was convicted of a crime.

PHOTOGRAPHS BEFORE CONVICTION STILL After reviewing court decisions which bear on Regues Gallery photographs the Mayor takes up Justice Burr's decision in the Gow case, as a result of which

Mayor takes up Justice Burr's decision in the Gow case, as a result of which Acting Captain Kuhne is serving a term for contempt. It was the only decision, the Mayor found, against the police right to photograph and measure.

"It is with great reluctance," the Mayor says, "that I venture a suggestion that has perhaps not occurred to Mr. Justice Burr in writing his opinion, namely, the duty of the police to have the suspected offender in court when the quaestion is to offender in court when the quaestion is to be determined is whether the peace and dignity of the State of New York has been dignity of the State of New York has been violated. Suppose, for example, a rule should be laid down that a man should only be photographed and measured after conviction. No photograph would then be taken until after a regular triel and the prisoner had been found guilty. Suppose, however, the prisoner obtains his release from custody by giving bail and thereafter absconds. Is it not the duty of the police of the city of New York who have arrested this man, to apprehend him again as soon as possible in order that the criminal justice of the State may be administered? Can there be any question but that photographs and Bertillon measurements of such a person would be of the greatest assistance in securing the person of the fugitive and in the case of some greatest assistance in securing the person of the fugitive and in the case of some distant State having him detected and extradited and brought back to New York, there to answer the charge made against him?

"After thinking over this matter with the greatest of care, I am led to the con-clusion that as Mayor of the city of New York I should not order the police to stop taking photographs of people ar-rested and accused of crime or who have been indicted by grand juries. That grave injustice may occur the Duffy case has demonstrated, but I feel that it is not the

and reproach

to the Police Commissioner the necessity of not leaving this great subdivision of New York city to the control of professional police officers. I have argued that it is of the utmost necessity to have at the head of large divisions of the police a civilian, removed from the so-called system as far as possible, who can intelligently check excess of power and the ever growing desire of the professional policeman to become arrogant and overbearing to the citizens, of whom he is the servant. the servant

"The late decision of the Court of Appeals affirming Mr. Justice Burr in his commitment of the head of the detective force in Brooklyn for contempt of court, and the public condemnation by District Attorney Clarke of the so-called system." in a murder trial, where he was forced to state, to the shame of the branch of to state, to the sname of the branch of the Police Department, that police offi-cers sought to protect a criminal in their own ranks instead of aiding the prose-cuting officer to bring the prisoner to the bar, as well as the facts in the Duffy case, lead me to the inevitable conclu-sion that the experiment of the Police Commissioner, in reducing Brooklyn to Commissioner in reducing Brooklyn to the rank of a precinct with a professional policeman in charge is an absolute failure. The defiance by Acting Capt. Kuhne of the writ of habeas corpus and the almost thwarted efforts of the District Attorney to bring a policeman to the bar of justice for murder and have him tried by a jury is conclusive evidence against the Commissioner's experiment. For these reasons I have decided to overrule the Commissioner on his theory of the administration of the department in

THE INSPECTOR AT LARGE. Kelly Has Had the Mayor's Office for

His Headquarters Before. Thomas J. Kelly, who is to be inspector at large, stationed in the Mayor's office, was appointed a patrolman on November 24, 1896. In the detective bureau he says gained something of a reputation for ability in running down pickpockets, parthe bureau he was a partner of Detective Sergeant John Cray, brother of Police Captain Patrick Cray. The Crays are brothers-in-law of Charles F Murphy.

Something Something Store.

"It's a diamond, and I'll give you \$100 for it right now," said the jeweller.

"If it's worth that to you it's worth more to me and I'll keep it," said the girl. One of these women, who it appears, testified in the Seibel case, verified a new affidavit setting forth that in the Captain Patrick Cray. The Crays are said Seibel case she had committed per-

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New York.

Kelly's home is at 333 Second avenue, which is in the Murphy district.

When Mayor McClellan took office one of his first official acts was designating Kelly as his personal guard and the detective was assigned to the Mayor's office in that capacity. He became a lieutenant under the Bingham law and was appointed captain on November 6, 1907. When he left the Mayor's office he was presented with an ivory tipped ebony baton by the Mayor and others in the office.

baton by the Mayor and others office.

His first post as captain was at Whitestone, from which station he was transferred in a short time to take command at Coney Island. A few months ago he was made an inspector and was put in command of the Eleventh inspection district, which includes Flatbush. He was specially detailed to investigate the Duffy case for the Mayor.

GETS A POLICE CAPTAINCY. Lieut. Frank J. Morris Promoted-Will Command in Fifth Street.

Lieut. Frank J. Morris, who for several weeks has been acting captain in

to-day that the letter purporting to have been written by Mrs. Woodill to Lame it has occurred here.

In the second chapter of "Dorothy Vernon' Malcolm Francis de Lorraine Vernon meets the heroine. After the first flash between the two the narrative closes the chapter in precisely the same words as on the paper found in the bunga-low at Broad Creek:

"God exists because of that warmth that a mawkish world condemns." And then: "Is the iron immodest when it creeps to the lodestone and clings to its side? Is the hen'bird brazen when she flutters to her mate responsive to his compelling woo song? Is the seed immodest when it sinks into the ground and swells with budding life? Is the cloud bold when it softens into "Sin line falls to earth because it has no other choice? Or is it brazen when it nestles for a time on the bosom of heaven's arched dome and sinking into the fathomiese depths of a blue black a finity ceuses to be itself?"

Col. Charles H. Thompson, foster father of Edith May Woodill, to-day identified the jewels pawned on Tuesday of last week by Eastman as having been worn by Mrs. Woodill when she left home for the last time. "God exists because of that warmth

"My daughter never wrote that letter love letter found under the bungalow. Nothing could convince me that she wrote it. It does not sound like her. It reads as though it were copied out of a book. Only the testimony of experis would make me consider the possibility of it being written by her."

George H. Taylor, who is Thompson's nearest neighbor, asked about the letter, said: "I have not seen the handwriting. Edith did write letters in that style about three years ago. I saw lots of them,

and we all teased her about them. She stopped writing that way long ago." I undertsand the letter has the appearance of having been written some time. I wonder if Eastman got hold of an old girlish love letter and threatened to show it to her husband? She has not written anything like it to my knowledge for about three years. I cannot explain it."

ARRESTED REYES'S BACKERS. Mexican Police Find an Easy Way Avert Political Scrap.

MEXICO CITY, June 30.-A despatch from Guanantajot says that at a political celebration held there in the of Ramon Corral's reelection as Vice President, a crowd of enthusiastic supporters of his opponent, Gen. Bernardo Reyes, started a counter celebration.
In order to prevent a conflict between
the crowds the police arrested more
than 100 of the Reyes supporters and
placed them in jail, where they were held
for five hours until the rival crowd had
dispersed. dispersed.

Feeling is running high between the factions in all parts of the country.

Found a \$100 Diamond in Her Ice Cream. FAIRFIELD, N. J., June 30.-Leila Wells went to Paterson last night with some friends for an evening's outing. While

they were having some ice cream Leila bit something hard in the cream. She at first thought it was rock salt, but wiped it off with her napkin and took a look at it. Her companions were not agreed as to whether it was glass or something better. She took it to a jewelry store.

New Deputy Sheriff

Walter F. Fitzsimmons was appointed deputy sheriff yesterday by Sheriff Foley to take the place of the late Frank Walgering, who for twenty years had charge of the arrests in civil cases. Fitz-simmons lives at 66 West Fifty-third street in the Twenty-seventh Assembly district of which G. L. Donnellan is leader. The salary is \$2,500 a year.

Coming After Brandenburg. Sr. Louis, June 30.-Detective Richard Joyce left to-day for New York to bring Broughton Brandenburg here to answer the charge of kidnapping James Shepard Cabanne, 3d. Brandenburg is not indicted under the capital punishment clause of the kidnapping law. The section relied upon is the enticement statute.

RESTORATION OF FREE GOV-ERNMENT," SAYS HE.

telers of the Police Have Been "Incom petent Corruptionists of Mere Buf-foons"--He Can Think of Five Recent Ones Who Have Quit as "Millionaires."

Supreme , Court Justice William J. Gaynor, whose active interest in the case of young George B. Duffy brought to a crisis the present differences of opinion between Mayor McClellan and the Police Department, was told by reporters at his home in St. James, L. I.. last night about Mayor McClellan's report on the Duffy case. He had no comment to make about Deputy Commissioner Hanson, Secretary Slattery or any other official by name, but the scoring he gave the Police Department rulers would have satisfied the originals of the entire rogues' gallery.

Justice Gaynor would not discuss the \$100,000 libel suit brought against him by Gen. Bingham. His opinion of the New York Police Department follows:

"I would not like to sav anything specific of the Mayor's report, as I have not read it. The great thing is that it has read it. The great thing is that it has been established in the person of this weak and uninfluential milk boy that there is no place under our system of government for an autocrat. It cannot be too often said and ought to be pasted in the hat of every official, and especially in that of every Mayor and Police Commissioner, that ours is a government of laws and not of men.

"No official, however high, is above the law. He has no right or lawful power to do anything except the law permits

to do anything except the law permits him to do it, and then only in the manner and way which the law limits and prescribes to him. That is free government. The opposite is despotism. For an official to set himself above the law and do as he likes it is despotism.

eral weeks has been acting captain in the Fifth street station house, was made a captain yesterday by Commissioner Bingham. For the present he will remain in command at the Fifth atreet house.

Morris spent a good many years as a detective attached to Police Headquarters, and as a detective sergeant under Inspector McClusky did duty in the theat atre district and around the big hotels. He went on the force as a parrolman in 1895 and a sergeant in 1906.

WGODILL LETTER STOLEN.

Passionate Epistle to Lame Beb Taken Frem "Derethy Vernon."

BALTIMORE, June 30.—It was discovered to-day that the letter purporting to have been written by Mrs. Woodill to Lame Beb Restment was conied from Charles.

"This case is only the beginning of the great and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and liberties trampled on by a succession of low, ignorant and often corrupt police of-ficials wholly unchecked by any one above them, that they have in a large degree forgotten their individual rights and were fast becoming debased. "Things are done here constantly by the rulers of the police, any one of which is free speech, of the police going into halls at the command of their ulers and driving out the audience peaceably assembled. And yet how often the solution of the police good and their rights and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and intelligent city of New York. Its people have been so long cuffed about and outraged and their rights and intelligent city of New York. Its people have been so long cuffe

Bob Eastman was copied from Charles
Major's book, "Dorothy Vernon of Haddon Hall."

The words purporting to have been written by Mrs. Woodill can be found in the second chapter. Where the words are not copied exactly the thought is the same.

it has occurred here.

"Tens of thousands of false arrests and imprisonments are committed here yearly. People are locked up over night in cells and taken to court next morning and discharged because not even a charge can be made against them. This has tecome the daily routine, as every Magistrate can testify.

"The police force is not to blame, but the persons who are put in rulership

"The police force is not to blame, but the persons who are put in rulership over them, incompetents, corruptionists or mere buffcons.

"Without stopping to think I can name at least five police rulers who have gone out of their offices millionaires in the last fifteen or twenty years. Now, can a police force be otherwise than demoralized with such rulers over them, one after another, and the Mayors of the city suffering them to run their courses unchecked?

"I say unto you that what has happened

"I say unto you that what has happened this day is only the beginning of the restoration of free government to the people of New York and the teaching of its police rulers that they are not above the law. You cannot rule a free people in a lawless way.

"First of all it is for officials to keep the law and not trample on and defy it and set at naught the rights of others."

BOYS SURRENDER ON A ROOF They're Taxed With Safe Bobbery and Carried Midget Pistols.

6 o'clock yestorday morning Detective Sammis and Howard of the East 104th street station chased two fourteen-yearold youths to the roof of a tenement at 107th street and First avenue last night. The detectives deduced from the job done on Cabbono's safe that the boys were done on Cabbono's safe that the boys were pretty cagy and would probably rout policemen very much as Peter Pan did Capt. Hook and his pirates. For the combination wheel had been chiselled from the safe and \$21 and a watch taken. So Satamis got the drop on the boys and demanded their surrender.

"Don't shoot and we'll give up!" called

der anded their surrender.

"Non't shoot and we'll give up!" called one of 'hem from the shelter of a chimney. Then sach surrendered a .22 calibre pistol. They were locked up charged with burglary. They said they were Michael Laconti of 327 East 107th street and Tony Borelli of 2070 First avenue. Charles Lombardo, a gunmaker of 234 East 107th street, was arrested charged with selling a pistol to a minor.

WOULD BUY HUDSON BOATS.

Offer Made to Continue the Business of N. Y. and Albany Transportation Co. Judge Hand of the United States Dis-

trict Court signed yesterday an order appointing John S. Wise special master to take proof as to the advisability of to take proof as to the advisability of accepting the offer of Edward C. Burns to buy the steamboats Frank Jones and she thinks—and what she thinks is none Saratoga, belonging to the New York and Albany Transportation Company. The company has been in the hands of a receiver for several months. Mr. Burns is a Southerner and is understood Burns is a Souther ner and is understood to be acting for Capt. George P. Hudson, who is named as the complainant in the general creditors' action resulting in the appointment of a receiver for the com-pany. It is understood that Mr. Burns and Capt. Hudson will organize a com-pany to run the two boats in case they are successful in huving them. ful in buying them.

COST WHITRIDGE ONE PLUNK To Do a Little Hurry Job at Railroading

While the P. S. C. Meditated. The People of the State of New York, represented in this particular case by the Public Service Commission, recovered

yesterday a judgment of \$1 against Frederick W. Whitridge, receiver of the Third Avenue Railroad, as a penalty for building a loop at the Fort George terminal of the railroad without first obtaining per-mission of the commission. The suit was ver a penalty of \$5,000 a day for to recover a penalty of \$5,000 a day for fifteen days.

For Mr. Whitridge Joseph H. Choate, Jr.

said that permission had been asked from the commission, but that it was so slow in the commission, but that it was so side coming that since the loop was a necessity, the receiver went ahead with the conction, not expecting any opposition from the commission.

His Pay Can't Be Garnisheed on Old

Negro Soldiers at Fort Porter.

Buffalo, June 30.—The First battalion Twelfth United States Infantry left Fort Porter in this city to-day bound for San Francisco, where the entire regiment will be mobilized and proceed to the Philippine Islands. Members of the Twenty-fourth Infantry, a regiment of negroes, took charge at Fort Porter.

Justice Giegerich of the Supreme Court decided yesterday that William A. Larney, a ceretary of the Fire Department, cannot be compelled under the garnishee law to pay to Martin T. Garvey of Garvey Bros., the Neck road and Ocean avenue. William Joppery of 150 Webster syenue, Brooklyn, and Edgar E. Elliott of 1970 tained against him for goods he had broken left arm. Miss Kreyer had given the young man permission to use the car, and he had picked up a number of his friends for a ride. The others injured, who were taken to the Neck road and Ocean avenue. William Joppery of 150 Webster syenue, Brooklyn, and Edgar E. Elliott of 1970 tained against him for goods he had broken left arm. Miss Kreyer had given the young man permission to use the car, and he had picked up a number of his friends for a ride. The others injured, who were taken to the Neck road and Ocean avenue. William Joppery of 150 Webster syenue, Brooklyn, and Edgar E. Elliott of 1970 tained against him for goods he had broken left arm. Miss Kreyer had given the young man permission to use the car, and he had picked up a number of his friends for a ride. The others injured, who were taken to the Neck road and Ocean avenue. Brooklyn, and Edgar E. Elliott of 1970 tained against him for goods he had been the court had given the young man permission to use the car, and he had picked up a number of his friends for a ride.

A Piano's Value Depends on the Use You Can Make of It

HE best piano made, is of little value unless it is played. As well own a fine painting that you never see, as a fine piano, the beautiful qualities of which you cannot enjoy.

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possesses musical qualities of the highest order that can be enjoyed to the uttermost by everyone. Where the best pianists heretofore exhausted but a fraction of what the piano offered, with the PIANOLA PIANO even a business man may now play practically every piece of music ever written.

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In considering Piano-players, remember that the PIANOLA whether used alone or in connection with a piano, is a trade-mark name. One of the most important features that distinguish the PIANOLA from all other instruments is THE THEMODIST

a device which picks out the meledy or theme and causes it to sound above all other notes. Without the *Themodist* no such instrument is complete and only the PIANOLA and PIANOLA PIANO have the *Themodist*.

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POLICE CENSORS CATCH IT

TEST TO BE MADE OF EMM GOLDMAN'S RIGHT TO TALK.

ree Speech Committee Says the Courts Will Be Invoked if Necessary-Orator Says Even Cooper Union Can't Be Hired By Any Comer New, as of Old.

There was free speech-hours of it-st ooper Union last evening. It was the neeting organized by the Free Speech Committee to protest against the treatment of Emma Goldman by the police of this city on Sunday, May 23, when they ejected her from a hall, and her treatment by the police of other places in the last six weeks, in Brooklyn, Yonkers, Orange, New Haven and elsewhere.

It seems that the committee, of which

Bolton Hall is chairman and Leonard

Abbott, Alexander Irvine, Meyer London and Grace Potter are members, has found that there are other people besides the police who do not care to have Miss Goldman speak at public places in New York Harry Kelly, who turns up wherever Socialists and Sunrise clubbers gather told the audience that the committee had run its legs off trying to find a hall where Miss Goldman could speak. It used to be, said Mr. Kelly, that when anybody wanted to have a meeting at Coope Union all he had to do was to hire the hall, but nowadays seekers for the hall were told at times that it was not at their disposal.

"And up at the Hudson Theatre." said Mr. Kelly, "they said that Miss Goldman "I have again and again suggested to the Police Commissioner the necessity of not leaving this great subdivision of New York etc."

"I have again and again suggested to Eastman," was the statement made by Col. Thompson when asked about the came out of the rear of Joseph Cabbono's junk shor, at 31 East 107th street about there. While as for Carnegie Hall, the there. While as for Carnegie Hall, the response was that not for a million dollars was Carnegie Hall to be hired for Emma

Goldman to speak there." Mr. Meny appeared to think that this argued something rotten in the State and dangerous to the community. A collection was taken up after Mr. Kelly's speech which netted \$40.40.

speech which netted \$40.40.

After Gilbert E. Roe had told the story of Emma's wrongs Voltairine de Cleyre of Philadelphia said that the wonderful police censors of a free people had shown themselves able, by a sixth sense, to determine that words not yet spoken were going to be seditious when they were spoken. As for her, she was for good government, but her idea of a good government was like the one time idea of a good Indian; the only good Government was a dead government. And she banged her fist down real hard on the desk and glared around at the policemen present, not one of whom winked an eye.

John S. Crosby said that he didn't care so much about the Constitution because he didn't think any body of men was

so much about the Constitution because he didn't think any body of men was wise enough to make laws for others that will be so very difficult to change a hundred years afterward. He did like the First Amendment to the Constitution, however, because it forbade Congress to pass laws abridging freedom of speech. Mr. Crosby declared that he was not an anarchist, but was for a good government.

"Emma Goldman," said he, "is a grand

of your business. There's one thing cer-tain, they'll never be able to stop her thinking."

No Pass Baker and Alden Freeman also spoke and telegrams and letters of regret were read from Eugene Debs, J. G. Phelps-Stokes, Ben Hanford, J. DeW. Warner, Theodore Schroeder and others.

It was announced that Emma Goldman will speak to-morrow evening at 100 west 116th street on "What Anarchism Really Stands For" and that her right to speak in public will be tested at this meeting. The free speech committee announces that if need be it will fight this matter in

POLICE VICTIM OF AUTO UPSET

Man Killed Back of Coney Island Was McEnroe of the Sheepshead Station. Thomas B. McEnroe, a patrolman of the Sheepshead Bay station, was the man killed early yesterday in the automobile accident at Ocean avenue and the Says He Fired the Building Where He Neck road, Brooklyn, when seven others

Brooklyn.
George Olney, 18 years old, of Seventeenth avenue and Forty-ninth street, a nephew of Miss Kreyer, was driving the car when the left rear wheel broke and it was overturned. Olney ran away after the accident and was found at his home with a broken left arm. Miss Kreyers.

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Also in Cake form, 25c.

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MARRIED.

HENDERSON-BARTLETT .- On Tuesday, June 29. at Upper St. Regis, N. Y., by the Rev. Stephen Van Rensselaer, Ethel. daughter of Mr. and Mrs. Halleck Bartlett of Worcester. Mass., to Charles Rapallo Henderson

HERRICK-ELDER.—On Saturday, June 28, at Stamford, Conn., by the Rev. Dr. Cornelius Woelfkin, Lydia Alma, daughter of Mr. and Mrs. William Elder, to W. Wilson Herrick. NSING-MERRITT.-On Wednesday, June 30, by the Rev. S. De Lancey Townsend, Jessie Thorne Merritt to Cooper Nott Lansing.

NSOM-BARKER.—On June 30, at Wantagh. L. I., by the Rev. T. S. Braithwaite, Porte m to Edith M. Barker, both of New

DIED.

BRIEN.-Suddenly, on Monday, June 28, 1909. Elizabeth, beloved wife of Michael O'Br Funeral from her late residence, 252 West 72d st., on Thursday, July 1, at 10 A. M., thence 71st st. Interment private. Kindly flowers.

RAYMOND.—On June 30, 1909, Charles Monson Raymond, beloved husband of Annie Louise Cary Raymond, in the 67th year of his age. Funeral service from his late resider North av., Norwalk, Conn., on Friday after-noon, July 2, at 3:30 o'clock. Carriages will meet train leaving Grand Central Station at 2 o'clock. Boston and Portland, Me., papers

UNDERTAKERS.

FRANK E. CAMPRELL, 241-243 W. 234 ST Chapels. Ambulance Service. Tel. 1824 Cheisea

FIREBUG BURNS BROTHER.

Worked to See the Flames and Engines. McEnroe was killed instantly. He was thrown fifty feet, and he landed on his head. He was 32 years old, single and lived at 2044 East Thirteenth street, George Olney, 18 years old. yesterday morning the charred body of his sixteen-year-old brother John was pulled from the ruins. The police during the third degree proceedings accused George of firing the plant, but he denied that he had any hand in starting the blaze. The fire caused a property loss of about \$75.000.

ter the accident and was found at his in the presence of Capt. Peter J. Christie me with a broken left arm. Miss Kreyer and three of his men Kueber signed a d given the young man permission to statement last night in which he constatement last night in which he confessed to having set fire to the building.
Kueber said that he set the fire because
he wanted to see the flames and the engines
working. He asserted that he never
thought about his brother being employed in the place or about human life
being threatened.

The captain said that he would prefer
a charge of murder and arson against
Kueber.

Brankway Cor. 26 # ST.

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